

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-225-T - ORDER NO. 2005-614
OCTOBER 21, 2005

IN RE: Application of McCorquodale Transfer, Inc.)	ORDER GRANTING
to Amend Class E (Household Goods))	REQUEST FOR LEAVE
Certificate of Public Convenience and)	TO TAKE DEPOSITION
Necessity No. 9740.)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on the request of McCorquodale Transfer, Inc. (“McCorquodale” or “Applicant”) for leave to take the deposition of a witness pertaining to McCorquodale’s Application to Amend Class E Certificate of Public Convenience and Necessity. The Applicant seeks to amend its Class E Certificate by an expansion to McCorquodale’s scope of authority from between points and places in Charleston, Berkeley and Dorchester Counties, South Carolina to between points and places in South Carolina.

By correspondence dated October 14, 2005, McCorquodale, through its counsel, requests leave to take the testimony of a witness regarding McCorquodale’s Application via deposition. The witness who McCorquodale desires to be deposed is Susie Baird, a shipper witness for the Applicant. McCorquodale asserts that allowing Ms. Baird to testify via deposition and in lieu of an appearance at the hearing in this case will accommodate her very busy schedule. The fact that McCorquodale seeks to establish by this deposition, according to McCorquodale, is that there is a current statewide demand for household goods moving services that is not presently being met.

McCorquodale gives the date, time and location for the requested deposition to be held at 2:30 p.m. on October 24, 2005, or at a time mutually agreed upon by the parties, via telephone at the Offices of Ellis, Lawhorne & Sims, P.A., 1501 Main Street, 5th Floor, Columbia, South Carolina.

26 S. C. Ann. Regs.103-133 provides that an application for a Certificate of Public Convenience and Necessity or to amend a Certificate of Public Convenience and Necessity to operate as a carrier of household goods by motor vehicle may be approved, among other criteria, upon a showing that public convenience and necessity are not already being served in the territory by existing authorized service. The public convenience and necessity criterion must be shown by the use of shipper witnesses.

26 S. C. Ann. Regs. 103-852 provides that any party of record to a proceeding may, by written request, ask the Commission for leave to take the testimony of any witness by deposition. The request shall set forth the facts the requesting party seeks to establish by the deposition. Such written request shall be filed with the Commission at least 10 days prior to the commencement of the scheduled hearing. The requesting party shall give notice by providing a copy of the written request to each party of record to the proceeding. If the Commission deems the request meritorious, it may issue an Order designating the individual whose deposition may be taken.

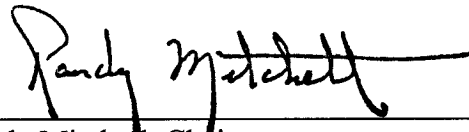
Upon consideration of the request for leave to take deposition of McCorquodale, the Commission hereby grants the request. We find that McCorquodale has satisfied the requirements of R. 103-852. Although, the Applicant does not cite the specific scheduling problem creating the need to take deposition of the shipper witnesses in lieu

of the witnesses' appearances, the Commission understands the difficulty that may be encountered in an applicant's ability to secure the appearance of shipper witnesses.

IT IS THEREFORE ORDERED THAT:

1. The request for leave to take deposition filed by McCorquodale Transfer, Inc. is hereby granted.
2. McCorquodale Transfer, Inc. shall take deposition of shipper witness, Susie Baird, in lieu of the shipper witness's appearance.
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)